

ORDINANCE NO. _____

An ordinance amending Title 22—Planning and Zoning—of the Los Angeles County Code to establish provisions for farmworker housing in accordance with the Employee Housing Act (commencing with Section 17000 of the California Health and Safety Code).

The Board of Supervisors of the County of Los Angeles hereby ordains as follows:

SECTION 1. Sections 22.20.070, 22.20.170, 22.20.260, 22.20.340, 22.20.410, 22.24.070.A, and 22.24.120.A are hereby amended to add in alphabetical order the following use as a permitted use in Zones R-1, R-2, R-3, R-4, R-A, A-1, and A-2, respectively, as follows:

...
-- Farmworker dwelling units, as provided in Part 23 of Chapter 22.52.

SECTION 2. Section 22.20.100.A is hereby amended to add in alphabetical order the following use subject to permit in Zone R-1, respectively, as follows:

...
-- Farmworker housing complexes, as provided in Part 23 of Chapter 22.52.

SECTION 3. Section 22.20.200.A. is hereby amended to add in alphabetical order the following use subject to permit in Zone R-2, respectively, as follows:

...

-- Farmworker housing complexes, as provided in Part 23 of Chapter 22.52.

...

SECTION 4. Section 22.20.260 is hereby amended to add in alphabetical order the following use as a permitted use in Zone R-3, respectively, as follows:

...

-- Farmworker housing complexes, as provided in Part 23 of Chapter 22.52, if the housing accommodation is apartment houses, single-family residences subject to the standards of 22.20.105, or two-family residences, and consistent with Section 22.20.310.

...

SECTION 5. Section 22.20.290.A. is hereby amended to add in alphabetical order the following use subject to permit in Zone R-3, respectively, as follows:

...

-- Farmworker housing complexes, as provided in Part 23 of Chapter 22.52, except as otherwise permitted in Section 22.20.260.

...

SECTION 6. Section 22.20.340 is hereby amended to add in alphabetical order the following use as a permitted use in Zone R-4, respectively, as follows:

...

1 -- Farmworker housing complexes, as provided in Part 23 of Chapter 22.52, if the
2 housing accommodation is apartment houses, single-family residences subject to the
3 standards in 22.20.105, two-family residences, or rooming and boarding houses, and
4 consistent with Section 22.20.390.

5 ...
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8 SECTION 7. Section 22.20.370.A is hereby amended to add in alphabetical order the
9 following use subject to permit in Zone R-4, respectively, as follows:

10 ...

11 -- Farmworker housing complexes, as provided in Part 23 of Chapter 22.52, except as
12 otherwise permitted in Section 22.20.340.

13 ...
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15 SECTION 8. Sections 22.20.410, 22.24.070.A, and 22.24.120.A are hereby amended
16 to add in alphabetical order the following use as a permitted use in Zones R-A, A-1, and
17 A-2, respectively, as follows:

18 ...
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20 -- Farmworker housing complexes, as provided in Part 23 of Chapter 22.52.

21 ...
22

23 SECTION 9. Section 22.24.150.A is hereby amended to delete the following use:

24 ...
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26 ~~--Farm labor camps.~~

27 ...
28

SECTION 10. Sections 22.28.030, 22.28.080, 22.28.130, 22.28.180, and 22.28.290 are hereby amended to read as follows:

22.28.030 Permitted Uses. Premises in Zone C-H may be used for ~~the following commercial uses:~~

...

C. The following uses:

-- Farmworker dwelling units, as provided in Part 23 of Chapter 22.52.

-- Farmworker housing complexes, as provided in Part 23 of Chapter 22.52.

22.28.080 Permitted Uses. Premises in the Zone C-1 may be used for:

...

C. The following uses:

-- Farmworker dwelling units, as provided in Part 23 of Chapter 22.52.

-- Farmworker housing complexes, as provided in Part 23 of Chapter 22.52.

22.28.130 Permitted Uses. Premises in the Zone C-2 may be used for:

...

C. The following uses:

-- Farmworker dwelling units, as provided in Part 23 of Chapter 22.52.

-- Farmworker housing complexes, as provided in Part 23 of Chapter 22.52.

22.28.180 Permitted Uses. Premises in the Zone C-3 may be used for:

...

1 C. The following uses:

2 -- Farmworker dwelling units, as provided in Part 23 of Chapter 22.52.

3 -- Farmworker housing complexes, as provided in Part 23 of Chapter 22.52.

4
5 22.28.290 Permitted Uses. A. Premises in Zone C-R may be used for:

6 ...

7
8 3. Other uses.

9 -- Farmworker dwelling units, as provided in Part 23 of Chapter 22.52.

10 -- Farmworker housing complexes, as provided in Part 23 of Chapter 22.52.

11 ...

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13 SECTION 11. Section 22.28.260.A is hereby amended to add in alphabetical order the
14 following uses subject to permit in Zone C-M, respectively, as follows:

15 ...

16 -- Farmworker dwelling units, as provided in Part 23 of Chapter 22.52.

17 -- Farmworker housing complexes, as provided in Part 23 of Chapter 22.52.

18 ...

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20
21 SECTION 12. Section 22.52.1180 is hereby amended to read as follows:

22 ...

23 F. Each farmworker housing complex consisting of group living quarters, such
24 as barracks and bunkhouses, shall have one parking space for every two beds. Parking
25 for farmworker dwelling units and farmworker housing complexes pursuant to Part 23
26 may be uncovered and/or provided in tandem.
27
28

SECTION 13. Part 23 of Chapter 22.52 is hereby added to read as follows:

Part 23

FARMWORKER HOUSING

Sections:

22.52.2400 Purpose.

22.52.2410 Definitions.

22.52.2420 Prohibited areas.

22.52.2430 Farmworker housing types.

22.52.2440 Development standards.

22.52.2450 Additional requirements.

22.52.2400 Purpose.

The purpose of this Part 23 is to establish provisions for farmworker housing, which is deemed an issue of Statewide importance pursuant to Section 65580 (a) of the California Government Code, in accordance with the Employee Housing Act (commencing with Section 17000 of the California Health and Safety Code).

22.52.2410 Definitions.

The following definitions apply to this Part 23 of Chapter 22.52:

-- "Agriculture" as defined in Section 1140.4 (a) of the California Labor Code means farming in all its branches, including the cultivation and tillage of the soil, dairying, the production, cultivation, growing, and harvesting of any agricultural or horticultural commodities (including commodities defined as agricultural commodities in Section 1141j(g) of Title 12 of the United States Code), the raising of livestock, bees, furbearing

1 animals, or poultry, and any practices (including any forestry or lumbering operations)
2 performed by a farmer or on a farm as an incident to or in conjunction with such farming
3 operations, including preparation for market and delivery to storage or to market or to
4 carriers for transportation to market.

5
6 -- "Farmworker" or agricultural employee as defined in Section 1140.4 (b) of the
7 California Labor Code means any individual engaged in agriculture as defined in Section
8 1140.4 (a) of the California Labor Code.
9

10
11 -- "Farmworker dwelling unit" means a single family structure, ~~that~~ which is occupied
12 solely by farmworkers.
13

14 -- "Farmworker housing complex" includes conventional and non-conventional
15 structures, such as: ~~means any housing accommodation, including~~ group living quarters,
16 such as barracks and bunkhouses; dwelling; boardinghouse; tent; maintenance-of-way
17 car; mobilehome; manufactured home; recreational vehicle; and travel trailer, and is
18 occupied by farmworkers or farmworkers and their households.
19

20
21 -- "Seasonal employee housing" as defined in Section 17010 (b) of the California Health
22 and Safety Code means farmworker housing operated annually on the same site and
23 occupied for not more than 180 days in any calendar year.
24

25 -- "Temporary employee housing" as defined in Section 17010 (a) of the California
26 Health and Safety Code means farmworker housing not operated on the same site
27 annually and established for one operation and then removed.
28

22.52.2420 Prohibited areas.

A. Farmworker dwelling units shall be prohibited if any portion of the lot is located in an Airport ~~Land Use~~ Influence Area or an Environmentally Sensitive Habitat Area (ESHA).

B. Farmworker housing complexes shall be prohibited if any portion of the lot is located in an Airport ~~Land Use~~ Influence Area, an Environmentally Sensitive Habitat Area (ESHA), or a Very High Fire Hazard Severity Zone.

22.52.2430 Farmworker housing types.

A. Farmworker dwelling unit.

1. A minimum of five farmworkers and no more than six farmworkers shall occupy a farmworker dwelling unit.

2. Permitted occupancy includes farmworkers who do not work on the property where the farmworker housing is located.

B. Farmworker housing complexes.

1. A minimum of five farmworkers shall occupy a farmworker housing complex.

2. Permitted occupancy includes farmworkers who do not work on the property where the farmworker housing is located.

3. A farmworker housing complex shall be no more than twelve residential units per lot designed for use by farmworkers and their households, or group living quarters, such as barracks and bunkhouses, accommodating no more than thirty-six beds per lot for use by farmworkers.

1 C. Per Section 17008 (a) of the California Health and Safety Code, farmworker
2 housing provided by the employer and maintained in connection with any work or place
3 where work is being performed, ~~can include, but is not limited to: living quarters,~~
4 ~~dwelling, boardinghouse, tent, bunkhouse, maintenance-of-way car, mobilehome,~~
5 ~~manufactured home, recreational vehicle, travel trailer, or other housing~~
6 ~~accommodations, and~~ may be for temporary, seasonal, or permanent residency.
7

8 D. Per Section 17008 (b) of the California Health and Safety Code, farmworker
9 housing not maintained in connection with any workplace and provided by someone
10 other than an agricultural employer shall house farmworkers of any agricultural
11 employer(s) for:

- 12 1. Temporary or seasonal residency, or
- 13 2. Permanent residency, if the housing accommodation is a mobilehome,
14 manufactured home, travel trailer, or recreational vehicle

15 E. Farmworker housing shall comply with the Employee Housing Act (Health
16 and Safety Code Sections 17000-17062.5), the Mobilehome Parks Act (Health and
17 Safety Code Sections 18200-18700), and the Special Occupancy Parks Act (Health and
18 Safety Code Sections 18860-18874), as applicable.
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21 22.52.2440 Development standards.

22 A. Setbacks: Farmworker housing shall be located not less than 75 feet from
23 barns, pens or other structures that house livestock or poultry, and not less than 50 feet
24 from any other agricultural use.

25 B. Floor area: For farmworker housing complexes in group living quarters, such
26 as barracks and bunkhouses, the minimum floor area used for sleeping purposes is 50
27 square feet for each occupant.
28

22.52.2450 Additional requirements.

A. The property owner shall obtain all permits and approvals from the county departments of public health, fire, and public works, and the State Department of Housing and Community Development (HCD), as applicable.

B. Covenant and agreement. The property owner shall record in the office of the county recorder a covenant and agreement running with the land for the benefit of the county of Los Angeles.

1. The covenant and agreement shall require the following:

a. That the property owner agrees to the requirements of this Part 23.

b. That the property owner shall obtain and maintain a permit(s) with the State Department of Housing and Community Development (HCD), pursuant to the Employee Housing Act and the California Code of Regulations, Title 25, Division 1, Chapter 1, Sections 600 through 940.

c. That the property owner shall submit a verification form annually to the department of regional planning.

d. That any violation thereof shall be subject to the enforcement procedures of Part 6 of Chapter 22.60.

C. Farmworker housing verification form. The property owner shall complete and submit to the director of planning a verification form no later than 30 days after receiving a permit to operate from the State Department of Housing and Community Development (HCD), and annually thereafter, to ensure compliance with this Part 23. The verification form shall include information regarding the housing type, number of dwelling units or beds, number of occupants, occupants' employment information, and proof that a permit to operate from HCD has been obtained and maintained.

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